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5  
6 UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF NEVADA

8 \* \* \* \* \*

9 THE UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

IN EQUITY  
No. D-183 LDG

12 ALPINE LAND & RESERVOIR COMPANY  
a corporation, et al,

13 Defendant.

14 /  
15 ORDER APPROVING WATER MASTER'S BUDGET FOR 2012-2013;  
16 CREATING AN ASSESSMENT TO REPLENISH THE FUND HERETOFORE  
ESTABLISHED TO PAY THE EXPENSE OF CONDUCTING  
17 THE WATER MASTER'S OFFICE, APPORTIONING THE COSTS  
THEREOF, PROVIDING THE MANNER AND METHOD OF  
COLLECTION THEREOF, AND DIRECTING THE DISTRIBUTION  
18 OF THE WATERS OF THE CARSON RIVER WHEN NECESSARY

19 BE IT REMEMBERED that the petition of CHAD BLANCHARD, Interim  
20 Water Master appointed herein to administer the Final Decree  
entered on December 18, 1980, asking that an assessment be created  
21 to replenish the fund heretofore established to pay the expenses of  
conducting the office of the Water Master for the period from  
22 October 1, 2012, to September 30, 2013, and for such other action  
23 as might seem meet and proper in the premises, having been filed  
24 with the Clerk of this Court on December 10, 2012, and proper  
25 notice having been given to all parties of the filing of said  
26 petition, and all parties having the opportunity to enter  
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1 objections thereto, and no objections having been entered by any  
2 party to the said petition and proposed budget and good cause  
3 appearing,

4 **NOW, THEREFORE, IT IS HEREBY ORDERED:**

5 1. That the budget submitted by the Water Master on  
6 December 10, 2012, as part of his petition, is hereby approved and  
7 the Water Master is hereby authorized and directed to pay to  
8 himself as Water Master the salary indicated in said budget, to  
9 employ assistants as may be necessary and to pay all necessary  
10 expenses incurred in administering the Final Decree issued herein,  
11 as provided for in said budget.

12 2. That in order to provide a means for the payment of  
13 further expense of conducting the Water Master's office,  
14 particularly for the period from October 1, 2012, to September 30,  
15 2013, there is hereby created an assessment in the sum of THREE  
16 HUNDRED TWENTY THOUSAND DOLLARS (\$320,000.00) to replenish the fund  
17 heretofore established.

18 3. That the water users within the Truckee-Carson Irrigation  
19 District, by and through the Truckee-Carson Irrigation District,  
20 pay to the Water Master one-fifth (1/5) of the said assessment, to  
21 wit, the sum of SIXTY-FOUR THOUSAND DOLLARS (\$64,00.00), said  
22 payment to be made on or before January 15, 2013.

23 4. That the balance of said assessment be assessed against  
24 all of the remaining water users on the Carson River subject to the  
25 jurisdiction of this Court, on a prorata bases of FOUR DOLLARS AND  
26 10 CENTS (\$4.10) per acre, according to the irrigable acreage  
27 possessed by said water users, said payments to be made to the  
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1 Water Master on or before January 15, 2013, it being provided,  
2 however, that the minimum charge assessed against any water user  
3 shall not be less than FORTY-ONE DOLLARS AND NO CENTS (\$41.00).

4 5. That the Clerk of this Court give notice of the required  
5 payments to be made by each water user by mailing a copy of this  
6 order and the notice annexed hereto to each attorney appearing of  
7 record for the plaintiff and sundry defendants in this cause within  
8 five (5) days of the entry of this order; the Water Master is  
9 further directed to give such notice to the parties hereto and  
10 their successors and assigns by publishing a copy of the notice  
11 annexed hereto in the following newspapers: Nevada Appeal, P.O.  
12 Box 2288, Carson City, Nevada, 89701; Record-Courier, P.O. Box  
13 2288, Carson City, Nevada 89702-2288; Lahontan Valley News, P.O.  
14 Box 1297, Fallon, Nevada 89407-1297 and Mason Valley News, P.O. Box  
15 841, Yerington, Nevada 89447, once a week for two (2) consecutive  
16 weeks.

17 6. That the prorata amounts so assessed against the water  
18 users on the Carson River on the basis of the water righted acreage  
19 possessed by said water users shall become and be a lien against  
20 said water righted lands until paid, and that the Water Master be,  
21 and hereby is, directed to enforce the collection of said  
22 assessments in the manner provided by law, and is further ordered  
23 to cut off water deliveries from any water user who is in default  
24 in any said required payments.

25 7. That said Interim Water Master, CHAD BLANCHARD, be and  
26 hereby is, directed to make a report and submit an audit by a  
27 certified public accountant of his books, records, and accounts  
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1 annually on or before the 15th day of January 2014.

2 8. That the Interim Water Master, CHAD BLANCHARD, be and  
3 hereby is, directed to continue in effect the surety bond in the  
4 sum of FIFTY THOUSAND DOLLARS (\$50,000.00) heretofore provided  
5 pursuant to his order of appointment for the faithful performance  
6 of his duties as custodian of such funds and the property that may  
7 be in his care.

8 9. That the Water Master's report and audit for the fiscal  
9 year ending September 30, 2012, shall be filed by January 15, 2013.

10 10. That the operation and administration of the Water  
11 Master's office in administering the provisions of the Final Decree  
12 for the period from October 1, 2011, to September 30, 2012 is  
13 hereby approved.

14 11. That the Water Master begin the distribution of the  
15 waters of the Carson River under said Final Decree on such date as  
16 the Water Master determines that the distribution of said water  
17 under his authority is necessary.

18 12. That the Water Master is directed to create a funded  
19 account pursuant to existing Personnel and Benefits Policy to cover  
20 the cost of continuing health insurance on qualified personnel,  
21 upon their retirement, and that the cost shall be included in the  
22 Water Master's Budget each year until such time as the earned  
23 benefit is exhausted.

24 DATED this 14 day of FEBRUARY 2012

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27 DISTRICT JUDGE  
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